



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/593,321  | 09/18/2006  | Jun Yoshida          | 00862.109566.       | 7539             |
| 5514 7590 04/14/2010<br>FITZPATRICK CELLA HARPER & SCINTO<br>1290 Avenue of the Americas<br>NEW YORK, NY 10104-3800 |             |                      |                     |                  |
| EXAMINER  |             |                      |                     |                  |
| ZEWDU, MELESS NMN   |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
| 2617  |             |                      |                     |                  |
| MAIL DATE   |             | DELIVERY MODE        |                     |                  |
| 04/14/2010  |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|   |                        |                     |
|---|------------------------|---------------------|
| <b>Response to Rule 312 Communication</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|   | 10/593,321             | YOSHIDA, JUN        |
|   | <b>Examiner</b>        | <b>Art Unit</b>     |
|   | Meless N. Zewdu        | 2617                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 24 March 2010 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☒ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

In claims 2 and 7, changing "that" into "whether" and in claim 7, canceling the phrase, "first and second" does not change the scope of claims 2 and 7. Basically, the 312 amendment is directed to clarity and is in response to examiner's amendment to which applicant did not agree.

/Meless N Zewdu/  
Primary Examiner, Art Unit 2617